



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

Josh Shapiro
ATTORNEY GENERAL

May 31, 2019

15th Floor, Strawberry Square
Harrisburg, PA 17120
(717) 783-1111

E-mail: 72120-62871427@requests.muckrock.com

Attn: Joshua Freedman
MuckRock News
Dept. MR 72120
411A Highland Avenue
Somerville, MA 02144-2516

**RE: Right to Know Request
2019-122**

Dear Mr. Freedman:

This letter acknowledges receipt by the Office of Attorney General of your written request for records under the Pennsylvania Right-to-Know Law (65 P.S. §67.101 *et seq.*) ("RTKL"). Your request was received by the Right to Know Office on April 24, 2019. On May 1, 2019, you were notified that a legal review was necessary to determine whether the records requested are subject to access under the RTKL and that additional time was required to perform this review. As provided in the RTKL, the Office of Attorney General ("OAG") required up to an additional 30 calendar days, or until May 31, 2019, in which to provide a final response to your request. The review has now been completed, and this letter serves as our final response to your request.

The "identified records" are those stated in your April 24, 2019 request, as modified by any subsequent communications. Specifically, your request indicates that you are seeking the following information:

Any list or lists of former or current police officers that may have credibility issues, when they were put on the list, and if available, for what reason.

A full and complete search pursuant to the requirements of the RTKL has been conducted. It has been determined that your request cannot be granted, as no responsive records have been identified.

May 31, 2019

NO RECORDS FOUND

A full and complete search pursuant to the requirements of the RTKL has been conducted, based upon the parameters of your request as set forth above, and it has been determined that the requested information does not exist as a record of this agency and we are not required to create a record that does not exist. 65 P.S. §67.705. *Moore v. Office of Open Records*, 992 A.2d 907 (Pa. Cmwlth. 2010). The Office of Attorney General does not possess a list as described in your request. It should be noted that it is not a denial of access when an agency does not have possession, custody or control of a record and there is no legal obligation to obtain such record. 65 P.S. §67.506(d)(1). However, if you choose to interpret this letter as a denial, you may file an appeal as indicated below.

Additionally, based on our review of your request, it appears as if you may be looking for names of Pennsylvania State police officers that appear on a list as described in your request. If that is the case, the Pennsylvania State Police may possess such information, not the Office of Attorney General.

You may want to contact the Pennsylvania State Police for any assistance they can provide to you in this matter. Correspondence may be sent to:

**Pennsylvania State Police
Bureau of Records & Identification
ATTN: AGENCY OPEN RECORDS OFFICER
1800 Elmerton Avenue
Harrisburg, PA 17110-9758**

CONCLUSION

For the above reasons, your request cannot be granted. We trust that this response addresses the intent of your request.

RIGHT TO APPEAL

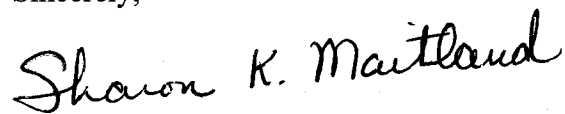
BY PROVIDING THIS RESPONSE, THE OFFICE OF ATTORNEY GENERAL HAS SATISFIED ITS OBLIGATION TO RESPOND TO YOUR REQUEST. SHOULD YOU WISH TO CHALLENGE THIS RESPONSE UNDER THE RTKL, YOU MUST FILE AN APPEAL WITH THE RIGHT TO KNOW APPEALS OFFICER OF THE PENNSYLVANIA OFFICE OF ATTORNEY GENERAL, WITHIN FIFTEEN (15) BUSINESS DAYS OF THE MAILING DATE OF THIS LETTER. YOUR APPEAL MUST INCLUDE A COPY OF YOUR ORIGINAL REQUEST AND THIS AGENCY'S RESPONSE, STATE THE GROUNDS UPON WHICH YOU CLAIM YOUR REQUEST SHOULD NOT HAVE BEEN DENIED AND ADDRESS ALL REASONS STATED BY THIS AGENCY FOR ITS DENIAL OF YOUR REQUEST. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY RESULT IN DISMISSAL OF YOUR APPEAL. YOUR APPEAL MUST BE SENT TO THE FOLLOWING:

May 31, 2019

RIGHT TO KNOW APPEALS OFFICER
OFFICE OF ATTORNEY GENERAL
CIVIL LITIGATION SECTION
15TH FLOOR STRAWBERRY SQUARE
HARRISBURG, PA 17120

Please note that this response is being sent from an unmonitored e-mail address. Do not reply to this e-mail.

Sincerely,

A handwritten signature in cursive script that reads "Sharon K. Maitland".

Sharon K. Maitland
Deputy Attorney General
Right to Know Officer

SKM:mae
2019-122